

## § 301.51-2

the Administrator to enforce the provisions of this subpart.

*Interstate.* From any State into or through any other State.

*Limited permit.* A document in which an inspector affirms that the regulated article not eligible for a certificate is eligible for interstate movement only to a specified destination and in accordance with conditions specified on the permit.

*Moved (movement, move).* Shipped, offered for shipment, received for transportation, transported, carried, or allowed to be moved, shipped, transported, or carried.

*Person.* Any association, company, corporation, firm, individual, joint stock company, partnership, society, or any other legal entity.

*Quarantined area.* Any State, or any portion of a State, listed in § 301.51-3(c) of this subpart or otherwise designated as a quarantined area in accordance with § 301.51-3(b) of this subpart.

*Regulated article.* Any article listed in § 301.51-2(a) of this subpart or otherwise designated as a regulated article in accordance with § 301.51-2(b) of this subpart.

*State.* The District of Columbia, Puerto Rico, the Northern Mariana Islands, or any State, territory, or possession of the United States.

## § 301.51-2 Regulated articles.

The following are regulated articles:

(a) Firewood (all hardwood species), and green lumber and other material living, dead, cut, or fallen, inclusive of nursery stock, logs, stumps, roots, branches, and debris of half an inch or more in diameter of the following genera: *Acer* (maple), *Aesculus* (horse chestnut), *Albizia* (mimosa), *Betula* (birch), *Celtis* (hackberry), *Fraxinus* (ash), *Platanus* (sycamore), *Populus* (poplar), *Salix* (willow), *Sorbus* (mountain ash), and *Ulmus* (elm).

(b) Any other article, product, or means of conveyance not covered by paragraph (a) of this section if an inspector determines that it presents a risk of spreading Asian longhorned beetle and notifies the person in possession of the article, product, or means of

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conveyance that it is subject to the restrictions of this subpart.

[62 FR 10416, Mar. 7, 1997, as amended at 62 FR 60764, Nov. 13, 1997; 68 FR 26985, May 19, 2003]

## § 301.51-3 Quarantined areas.

(a) Except as otherwise provided in paragraph (b) of this section, the Administrator will list as a quarantined area in paragraph (c) of this section, each State or each portion of a State in which the Asian longhorned beetle has been found by an inspector, in which the Administrator has reason to believe that the Asian longhorned beetle is present, or that the Administrator considers necessary to regulate because of its inseparability for quarantine enforcement purposes from localities where Asian longhorned beetle has been found. Less than an entire State will be designated as a quarantined area only if the Administrator determines that:

(1) The State has adopted and is enforcing restrictions on the intrastate movement of regulated articles that are equivalent to those imposed by this subpart on the interstate movement of regulated articles; and

(2) The designation of less than an entire State as a quarantined area will be adequate to prevent the artificial interstate spread of the Asian longhorned beetle.

(b) The Administrator or an inspector may temporarily designate any nonquarantined area as a quarantined area in accordance with the criteria specified in paragraph (a) of this section. The Administrator will give written notice of this designation to the owner or person in possession of the nonquarantined area, or, in the case of publicly owned land, to the person responsible for the management of the nonquarantined area. Thereafter, the interstate movement of any regulated article from an area temporarily designated as a quarantined area is subject to this subpart. As soon as practicable, this area either will be added to the list of designated quarantined areas in paragraph (c) of this section, or the Administrator will terminate the designation. The owner or person

in possession of, or, in the case of publicly owned land, the person responsible for the management of, an area for which the designation is terminated will be given written notice of the termination as soon as practicable.

(c) The following areas are designated as quarantined areas:

#### Illinois

*Cook County.* That area in the Ravenswood community in the city of Chicago that is bounded as follows: Beginning on the shoreline of Lake Michigan at Howard Street; then west on Howard Street to Western Avenue; then south on Western Avenue to Bryn Mawr Avenue; then west on Bryn Mawr Avenue to Central Park Avenue; then south on Central Park Avenue to Diversey Avenue; then east on Diversey Avenue to the shoreline of Lake Michigan; then north along the shoreline of Lake Michigan to the point of beginning.

*Cook and DuPage Counties.* That area in Cook and DuPage Counties that is bounded as follows: Beginning at the intersection of Supreme Drive and Thomas Drive in the Village of Bensenville; then south on Thomas Drive to its end; then on a line southwest from the end of Thomas Drive to Church Road; then south on Church Road to Jefferson Street; then east on Jefferson Street to the Redmond Recreational Complex property line; then south and east along the Redmond Recreational Complex property line to John Street; then north on John Street to Jefferson Street; then east on Jefferson Street to County Line Road; then continuing east on an imaginary line from the intersection of Jefferson Street and County Line Road through the Chicago, Milwaukee, St. Paul and Pacific Railroad Yards to the intersection of Waveland Avenue and Centrella Street in the Village of Franklin Park; then east on Waveland Avenue to Mannheim Road (State Route 12); then north on Mannheim Road to Interstate 190; then west on Interstate 190 to Bessie Coleman Drive; then north on Bessie Coleman Drive to a point in line with Runway 27 Right on the grounds of O'Hare International Airport; then west along an imaginary line from Bessie Coleman Drive following the line of

Runway 27 Right across the grounds of O'Hare International Airport to North York Road; then north on North York Road to Supreme Drive; then west on Supreme Drive to the point of beginning.

*DuPage County.* That area near Addison in DuPage County that is bounded as follows: Beginning at the intersection of Fullerton Avenue and Swift Road; then east along Fullerton Avenue to Lombard Road; then north along Lombard Road to Army Trail; then west along Army Trail to Swift Road; then south along Swift Road to the point of beginning.

*Village of Summit.* That area in the Village of Summit that is bounded as follows: Beginning at the intersection of Archer and 59th Street; then south along Archer to 67th Street; then east along 67th Street to the end; then east along the railroad tracks to Sayre; then north along Sayre to 59th Street; then west along 59th Street to the point of beginning.

#### NEW JERSEY

*Hudson County.* That area in the city of Jersey City that is bounded as follows: Beginning at the intersection of Paterson Plank Road and South Wing Viaduct; then south on Paterson Plank Road to Congress Street; then west on Congress Street to Webster Avenue; then south on Webster Avenue to Bowers Street; then west on Bowers Street to Summit Avenue; then south on Summit Avenue to Fairmount Avenue; then east on Fairmount Avenue to Grand Street; then east on Grand Street to the shoreline of the Hudson River; then north along the shoreline of the Hudson River to the Hoboken/Jersey City border.

That area in the city of Hoboken that is bounded as follows: Beginning at the shoreline of the Hudson River east of the intersection of Hudson Street and 11th Street; then west on 11th Street to the railroad tracks; then south along the railroad tracks to the Hoboken/Jersey City border; then east along the Hoboken/Jersey City border to the shoreline of the Hudson River; then north along the shoreline of the Hudson river to the point of beginning.

## NEW YORK

*New York City.* That area in the boroughs of Manhattan, Brooklyn, and Queens in the City of New York that is bounded by a line beginning at the point where the Brooklyn Battery Tunnel intersects the Manhattan shoreline of the East River; then west and north along the shoreline of the Hudson River to Martin Luther King Jr. Boulevard; then east on Martin Luther King Jr. Boulevard and across the Triborough Bridge to its intersection with the west shoreline of Randall's and Wards Island; then east and south along the shoreline of Randall's and Wards Island to its intersection with the Triborough Bridge; then east along the Triborough Bridge to its intersection with the Queens shoreline; then north and east along the Queens shoreline to its intersection with the City of New York/Nassau County line; then southeast along the City of New York/Nassau County line to its intersection with the Grand Central Parkway; then west on the Grand Central Parkway to the Jackie Robinson Parkway; then west on the Jackie Robinson Parkway to Park Lane; then south on Park Lane to Park Lane South; then south and west on Park Lane South to 112th Street; then south on 112th Street to Atlantic Avenue; then west on Atlantic Avenue to 106th Street; then south on 106th Street to Liberty Avenue; then west on Liberty Avenue to Euclid Avenue; then south on Euclid Avenue to Linden Boulevard; then west on Linden Boulevard to Canton Avenue; then west on Canton Avenue to the Prospect Expressway; then north and west on the Prospect Expressway to the Gowanus Expressway; then north and west on the Gowanus Expressway to Hamilton Avenue and the Brooklyn Battery Tunnel; then north on Hamilton Avenue and the Brooklyn Battery Tunnel across the East River to the point of beginning.

*Nassau and Suffolk Counties.* That area in the villages of Amityville, West Amityville, North Amityville, Babylon, West Babylon, Copiague, Lindenhurst, Massapequa, Massapequa Park, and East Massapequa; in the towns of Oyster Bay and Babylon; in the counties of Nassau and Suffolk that is bounded as follows: Beginning

at a point where West Main Street intersects the west shoreline of Carlis Creek; then west along West Main Street to Route 109; then north along Route 109 to Arnold Avenue; then northwest along Arnold Avenue to Albin Avenue; then west along Albin Avenue to East John Street; then west along East John Street to Wellwood Avenue; then north along Wellwood Avenue to the Southern State Parkway; then west along the Southern State Parkway to Broadway; then south along Broadway to Hicksville Road; then south along Hicksville Road to Division Avenue; then south along Division Avenue to South Oyster Bay; then east along the shoreline of South Oyster Bay to Carlis Creek; then along the west shoreline of Carlis Creek to the point of beginning.

That area in the villages of Bayshore, East Islip, Islip, and Islip Terrace in the Town of Islip, in the County of Suffolk, that is bounded as follows: Beginning at a point where Route 27A intersects Brentwood Road; then east along Route 27A to the Southern State Parkway Heckscher Spur; then north and west along the Southern State Parkway Heckscher Spur to Carleton Avenue; then north along Carleton Avenue to the southern boundary of the New York Institute of Technology; then west along the southern boundary of the New York Institute of Technology through its intersection with Wilson Boulevard to Pear Street; then west along Pear Street through its intersection with Freeman Avenue to Riddle Street; then west along Riddle Street to Broadway; then south along Broadway to the Southern State Parkway Heckscher Spur; then west along the Southern State Parkway Heckscher Spur to Brentwood Road; then south along Brentwood Road to the point of beginning.

[62 FR 10416, Mar. 7, 1997, as amended at 63 FR 63387, Nov. 13, 1998; 64 FR 28715, May 27, 1999; 65 FR 4866, Feb. 2, 2000; 65 FR 54944, Sept. 12, 2000; 66 FR 56430, Nov. 8, 2001; 68 FR 26985, May 19, 2003]

**§ 301.51-4 Conditions governing the interstate movement of regulated articles from quarantined areas.**

(a) Any regulated article may be moved interstate from a quarantined